

By the Commission.

Lois D. Cashell,

Secretary.

[FR Doc. 95-11213 Filed 5-5-95; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF DEFENSE

Department of the Navy

32 CFR Part 706

Certifications and Exemptions Under the International Regulations for Preventing Collisions at Sea, 1972; Amendment

AGENCY: Department of the Navy, DOD.

ACTION: Final rule.

SUMMARY: The Department of the Navy is amending its certifications and exemptions under the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), to reflect that the Deputy Assistant Judge Advocate General (Admiralty) of the Navy, acting pursuant to authority delegated from the Secretary of the Navy: has determined that USS DWIGHT D. EISENHOWER (CVN 69) is a vessel of the Navy which, due to its special construction and purpose, cannot comply fully with certain provisions of the 72 COLREGS without interfering with its special functions as a naval aircraft carrier; and

has directed that certain naval ships or classes of ships be removed from the Tables in the existing Part 706. The intended effect of this rule is to warn mariners in waters where 72 COLREGS apply.

EFFECTIVE DATE: December 27, 1994.

FOR FURTHER INFORMATION CONTACT:

Commander K.P. McMahon, JAGC, U.S. Navy, Admiralty Counsel, Office of the Judge Advocate General, Navy Department, 200 Stovall Street, Alexandria, VA 22332-2400, Telephone number: (703) 325-9744.

SUPPLEMENTARY INFORMATION: Pursuant to the authority granted in 33 U.S.C. 1605, the Department of the Navy amends 32 CFR Part 706. The Secretary of the Navy previously certified that USS DWIGHT D. EISENHOWER (CVN 69) is a vessel of the Navy which, due to its special construction and purpose, cannot fully with 72 COLREGS. This amendment provides notice that the Deputy Assistant Judge Advocate General (Admiralty) of the Navy, under authority delegated by the Secretary of the Navy, has amended that certification to reflect that certain navigation lights on USS DWIGHT D. EISENHOWER (CVN 69), previously certified as not in compliance with 72 COLREGS, now comply with the applicable 72 COLREGS requirements, to wit: the ship now has a single forward anchor light, as required by Rule 30(a)(i).

Notice is also provided that the Deputy Assistant Judge Advocate General (Admiralty) of the Navy has determined that certain vessels and classes of vessels listed in the existing tables of 32 CFR Part 706 may be deleted from those tables because certification of those vessels or classes of vessels is no longer required.

Moreover, it has been determined, in accordance with 32 CFR Parts 296 and 701, that publication of this amendment for public comment prior to adoption is impracticable, unnecessary, and contrary to public interest since it is based on technical findings that the placement of lights on this vessel in a manner differently from that prescribed herein will adversely affect the vessel's ability to perform its military functions.

List of Subjects in 32 CFR Part 706

Marine safety, Navigation (Water), and Vessels.

Accordingly, 32 CFR Part 706 is amended as follows:

PART 706—[AMENDED]

1. The authority citation for Part 706 continues to read:

Authority: 33 U.S.C. 1605.

§ 706.2 [Amended]

2. Table Two of § 706.2 is amended by revising the entry for the following vessel:

TABLE TWO

Vessel	No.	Masthead lights, distance to stbd of keel in meters; Rule 21(a)	Forward anchor light, distance below flight dk in meters; § 2(K), Annex I	Forward anchor light, number of; rule 30(a)(i)	AFT anchor light, distance below flight dk in meters; rule 21(e), rule 30(a)(ii)	AFT anchor light, number of; rule 30(a)(ii)	Side lights, distance below flight dk in meters; § 2(g), annex I	Side lights, distance forward of forward mast-head light in meters; § 3(b), annex I	Side lights, distance in-board of ship's sides in meters; § 3(b), annex I
USS DWIGHT D. EISENHOWER.	CVN-69	30	1	9.3	2	0.7

1. Table One of 32 CFR 706.2 is amended by removing the following ships:

USS LEAHY CG-16
 USS CHARLES F. ADAMS DDG-2
 USS JOHN KING DDG-3
 USS LAWRENCE DDG-4
 USS CLAUDE V. RICKETTS DDG-5
 USS BARNEY DDG-6
 USS LYNDE MC CORMICK DDG-8
 USS TOWERS DDG-9
 USS SAMPSON DDG-10
 USS SELLERS DDG-11
 USS ROBINSON DDG-12

USS HOEL DDG-13
 USS BUCHANAN DDG-14
 USS BERKELEY DDG-15
 USS JOSEPH STRAUSS DDG-16
 USS CONYNGHAM DDG-17
 USS SEMMES DDG-18
 USS TATTNALL DDG-19
 USS GOLDSBOROUGH DDG-20
 USS COCHRANE DDG-21
 USS BENJAMIN STODDERT DDG-22
 USS RICHARD E. BYRD DDG-23
 USS WADDELL DDG-24
 USS BRONSTEIN FF-1037
 USS MC CLOY FF-1038
 USS IWO JIMA LPH-2

USS OKINAWA LPH-3
 USS CONSTANT MSO-427
 USS ENGAGE MSO-433
 USS ENHANCE MSO-437
 USS ESTEEM MSO-438
 USS EXCEL MSO-439
 USS EXPLOIT MSO-440
 USS EXULTANT MSO-441
 USS FEARLESS MSO-442
 USS FORTIFY MSO-446
 USS ILLUSIVE MSO-448
 USS IMPERVIOUS MSO-449
 USS INFLECT MSO-456
 USS PLUCK MSO-464
 USS LEADER MSO-490

USS ADROIT	MSO-509
USS AFFRAY	MSO-511
USS SKIPJACK	SSN-585
USS SCULPIN	SSN-590
USS SHARK	SSN-591
USS PERMIT	SSN-594
USS PLUNGER	SSN-595
USS BARB	SSN-596
USS HADDO	SSN-604
USS JACK	SSN-605
USS TINOSA	SSN-606
USS SAM HOUSTON	SSN-609
USS JOHN MARSHALL	SSN-611
USS GUARDFISH	SSN-612
USS FLASHER	SSN-613
USS GREENLING	SSN-614
USS HADDOCK	SSN-621
USS STURGEON	SSN-637
USS QUEENFISH	SSN-651
USS RAY	SSN-653
USS LAPON	SSN-661
USS SEA DEVIL	SSN-664
USS GUITARRO	SSN-665
USS SILVERSIDES	SSN-679
USS GLENARD P. LIPSCOMB ..	SSN-685
USS BATON ROUGE	SSN-689
USS LAFAYETTE	SSBN-616
USS ALEXANDER HAMILTON ..	SSBN-617
USS JAMES MONROE	SSBN-622
USS WOODROW WILSON	SSBN-624
USS HENRY CLAY	SSBN-625
USS JAMES MADISON	SSBN-627
USS TECUMSEH	SSBN-628
USS DANIEL BOONE	SSBN-629
USS JOHN C. CALHOUN	SSBN-630
USS ULYSSES S GRANT	SSBN-631
USS VON STEUBEN	SSBN-632
USS CASIMIR PULASKI	SSBN-633
USS BENJAMIN FRANKLIN	SSBN-640
USS GEORGE BANCROFT	SSBN-643
USS LEWIS & CLARK	SSBN-644
USS GEORGE C. MARSHALL ..	SSBN-654
USS HENRY L. STIMSON	SSBN-655
USS GEORGE WASHINGTON	SSBN-656
CARVER.	
USS FRANCIS SCOTT KEY	SSBN-657
USS WILL ROGERS	SSBN-659

2. Table Two of 32 CFR 706.2 is amended by removing the following ships:

USS LEXINGTON	AVT-16
USS MIDWAY	CV-41
USS RANGER	CV-61
USS IWO JIMA	LPH-2
USS OKINAWA	LPH-3
USS PENGASIU	PHM-1
USS HERCULES	PHM-2
USS TAURUS	PHM-3
USS AQUILA	PHM-4
USS ANES	PHM-5
USS GEMINI	PHM-6

3. Table 3 of 32 CFR 706.2 is amended by removing the following ships:

USS BLUEBACK	SS-581
USS SKIPJACK	SSN-585
USS SCULPIN	SSN-590
USS SHARK	SSN-591
USS PERMIT	SSN-594
USS PLUNGER	SSN-595
USS BARB	SSN-596
USS HADDO	SSN-604
USS JACK	SSN-605
USS TINOSA	SSN-606

USS SAM HOUSTON	SSN-609
USS JOHN MARSHALL	SSN-611
USS GUARDFISH	SSN-612
USS FLASHER	SSN-613
USS GREENLING	SSN-614
USS HADDOCK	SSN-621
USS STURGEON	SSN-637
USS QUEENFISH	SSN-651
USS RAY	SSN-653
USS LAPON	SSN-661
USS SEA DEVIL	SSN-664
USS GUITARRO	SSN-665
USS SILVERSIDES	SSN-679
USS GLENARD P. LIPSCOMB ..	SSN-685
USS BATON ROUGE	SSN-689
USS LAFAYETTE	SSBN-616
USS ALEXANDER HAMILTON ..	SSBN-617
USS JAMES MONROE	SSBN-622
USS WOODROW WILSON	SSBN-624
USS HENRY CLAY	SSBN-625
USS JAMES MADISON	SSBN-627
USS TECUMSEH	SSBN-628
USS DANIEL BOONE	SSBN-629
USS JOHN C. CALHOUN	SSBN-630
USS ULYSSES S. GRANT	SSBN-631
USS VON STUEBEN	SSBN-632
USS CASIMIR PULASKI	SSBN-633
USS BENJAMIN FRANKLIN	SSBN-640
USS GEORGE BANCROFT	SSBN-643
USS LEWIS AND CLARK	SSBN-644
USS GEORGE C. MARSHALL ..	SSBN-654
USS HENRY L. STIMSON	SSBN-655
USS GEORGE WASHINGTON	SSBN-656
CARVER.	
USS FRANCIS SCOTT KEY	SSBN-657
USS WILL ROGERS	SSBN-659

4. Table Four, paragraph 1 of 32 CFR 706.2 is amended by removing the word "AVT," in the first sentence.

5. Table Four, paragraph 4 of 32 CFR 706.2 is amended by removing the following ships:

Vessel	MSO No.
USS CONSTANT	427
USS ENGAGE	433
USS ENHANCE	437
USS ESTEEM	438
USS EXCEL	439
USS EXPLOIT	440
USS EXULTANT	441
USS FEARLESS	442
USS FORTIFY	446
USS ILLUSIVE	448
USS IMPERVIOUS	449
USS INFLECT	456
USS PLUCK	464
USS LEADER	490
USS ADROIT	509
USS AFFRAY	511

6. Table Four, paragraph 6 of 32 CFR 706.2 is amended by removing the following ships:

USS WICHITA	(AOR 1)
USS FULTON	(AS 11)

7. Table Four, paragraphs 5, 12 and 13 of 32 CFR 706.2 are removed and reserved.

8. Table Five of 32 CFR 706.2 is amended by removing the following ships:

USS HALEAKALA	AE 25
USS LEXINGTON	AVT 16
USS LEAHY	CG 16
USS HARRY E. YARNELL	CG 17
USS WORDEN	CG 18
USS GRIDLEY	CG 21
USS ENGLAND	CG 22
USS HALSEY	CG 23
USS REEVES	CG 24
USS JOSEPHUS DANIELS	CG 27
USS WAINWRIGHT	CG 28
USS JOUETT	CG 29
USS HORNE	CG 30
USS STERETT	CG 31
USS WILLIAM H. STANDLEY ..	CG 32
USS FOX	CG 33
USS BIDDLE	CG 34
USS VIRGINIA	CGN 38
USS TEXAS	CGN 39
USS MIDWAY	CV 41
USS RANGER	CV 61
USS FARRAGUT	DDG 37
USS LUCE	DDG 38
USS MACDONOUGH	DDG 39
USS COONTZ	DDG 40
USS KING	DDG 41
USS MAHAN	DDG 42
USS DAHLGREN	DDG 43
USS WILLIAM V. PRATT	DDG 44
USS DEWEY	DDG 45
USS PREBLE	DDG 46
USS RALEIGH	LPD 1
USS VANCOUVER	LPD 2
USS IWO JIMA	LPH 2
USS OKINAWA	LPH 3
USS NEWPORT	LST 1179
USS MANITOWOC	LST 1180
USS SUMTER	LST 1181
USS FRESNO	LST 1182
USS PEORIA	LST 1183
USS SCHENECTADY	LST 1185
USS TUSCALOOSA	LST 1187
USS BOULDER	LST 1190
USS RACINE	LST 1191
USS BARBOUR COUNTY	LST 1195
USNS POINT LOMA	T-AGDS 2

§ 706.3 [Amended]

10. Table One in § 706.3 is amended by removing the following classes:

T-AGS-29 Class
 USNS MIRFAK (T-AK-271)
 USNS FURMAN (T-AK-280)
 USNS MARSHFIELD (T-AK-282)
 USNS NEPTUNE (T-ARC-2)
 ATF-81 Class
 ATF-96 Class
 DD-931 Class
 DDG-31 Class
 MSB Class
 PG-84 Class
 SS-580 Class
 SSN-585 Class
 USS NARWHAL (SSN-671)
 USS GLENARD P. LIPSCOMB (SSN-685)
 SSBN-608 Class
 Dated: February 8, 1995.

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[FR Doc. 95-11197 Filed 5-5-95; 8:45 am]